A4.5:347

U.S. DEPOSITORY

B.A.I. Order 347 Issued July 1934

United States Department of Agriculture

BUREAU OF ANIMAL INDUSTRY

REGULATIONS GOVERNING THE ELIMINATION OF CATTLE REACTING TO THE BLOOD TEST FOR BANG'S DISEASE (INFECTIOUS ABORTION) UNDER THE PROVISIONS OF PUBLIC NO. 142, SEVENTY-THIRD CONGRESS

Effective on and after July 19, 1934

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY.
Washington, D.C., July 19, 1934.

Under the authority conferred by law upon the Secretary of Agriculture the following regulations are hereby prescribed, to govern the elimination of animals reacting to the blood test for Bang's disease (infectious abortion) under the provisions of section 6, Public No. 142, Seventy-third Congress, which for the purpose of identification are designated as B.A.I. Order 347, and supersede B.A.I. Order 345, dated June 28, 1934. These regulations shall become and be effective on and after July 19, 1934.

H. A. WALLACE,
Secretary of Agriculture.

Regulation 1.—Definitions

For the purpose of these regulations the following words, names, and terms shall be construed, respectively, to mean:

SECTION 1. *The Department:* The United States Department of Agriculture.

SEC. 2. *The Secretary:* The Secretary of Agriculture of the United States.

SEC. 3. *The Bureau:* The Bureau of Animal Industry of the United States Department of Agriculture.

SEC. 4. *Disease:* Bang's disease (infectious abortion) of cattle.

SEC. 5. *Bureau employees:* Inspectors and all other individuals employed in the Bureau who are authorized by the Chief of the Bureau to do any work or perform any duty in connection with the elimination of animals reacting to the blood test for Bang's disease.

SEC. 6. *Accredited veterinarians:* Veterinarians accredited by State and Bureau.

SEC. 7. *Eliminated:* Marketed and slaughtered under State or Federal supervision, or dead from other causes before shipment or marketing.

SEC. 8. *Marketed for slaughter:* Eliminated.

SEC. 9. *Blood test:* The agglutination test made in accordance with a method allowed by the Chief of Bureau for use hereunder.

SEC. 10. *Test:* Blood test.

SEC. 11. *Purebred:* An animal which has been registered with a recognized purebred association and for which registration papers have been issued. (Registration papers on all animals more than 2 years old must be presented at time of appraisal. On animals 2 years old or less, the registration papers are to be presented prior to payment.)

SEC. 12. *Salvage:* Net proceeds of marketing.

Regulation 2.—Cooperation with States and Territories

The Chief of the Bureau of Animal Industry of the United States Department of Agriculture is authorized to cooperate with the States and Territories in the elimination of cattle reacting to the blood test for Bang's disease.

Regulation 3.—Appraisal of Cattle

SECTION 1. Cattle reacting to the blood test for Bang's disease shall be appraised by a representative of the Bureau, or an authorized representative of the cooperating State or Territory. When such cattle are appraised, due consideration shall be given to their breeding value as well as to the dairy or meat value. If the owner refuses to accept such appraisal, the animals shall be appraised by three disinterested parties, one of whom shall be selected by the Bureau's representative, one by the cattle owner, and the third by the two selected parties. Should an owner refuse to accept this appraisal, no payment will be made.

SEC. 2. Appraisals of cattle reacting to the blood test for Bang's disease shall be reported in duplicate on T.E. Form 23 (revised). Reports of appraisals shall show the number of animals, the appraisal of each per head, tag numbers, sex, age, and net proceeds of marketing, and shall be signed by the appraiser or appraisers and approved by the inspector in charge of the Bureau of Animal Industry. This form shall also be signed by the owner accepting the appraisal, and certifying that the amount due him from the United States is correct. Registration names, numbers, and ages of all purebred cattle shall be shown. T.E. Form 23 (revised) shall include a statement of any monies other than the net marketing proceeds received because of the elimination of an animal, if any such monies are received from other than the United States.

SEC. 3. The report of proceeds of marketing cattle reacting to the blood test for Bang's disease shall be made on T.E. Form 24 (revised). If such cattle are sold by the pound, the T.E. Form 24 (revised) must show the weight, price per pound, gross receipts, expenses if any, and net proceeds. If the cattle are not sold on a pound basis, full explanation must appear on the T.E. Form 24 (revised) showing how the amount received was arrived at. In the event the cattle are not disposed of through regular slaughterers or other selling agents (in lieu of T.E. Form 24 revised), the owner shall furnish an affidavit showing the amount of net proceeds of marketing obtained from the animals, and certifying that such amount is all he has received or will receive as marketing proceeds for said animal or animals. A certificate executed by the inspector in charge of the Bureau of Animal Industry will be accepted in lieu of the owner's affidavit. One copy of the T.E. Form 24 (revised) or the affidavit or certificate of the inspector in charge of the Bureau of Animal Industry shall be submitted with the claim, and one copy retained by the Bureau inspector in charge who approves the claim.

SEC. 4. The claim shall be presented on the Standard Form 1034 properly executed and accompanied by the above-mentioned T.E. forms.

SEC. 5. The report of the slaughter of such cattle shall be made on Bureau or State forms covering the post-mortem examination of cattle to the inspector in charge of the Bureau of Animal Industry by the State or Bureau official under whose supervision such slaughter took place. The Bureau inspector in charge who approves the claim shall retain this report in his office with copies of T.E. Forms 23 and 24.

SEC. 6. Bang's disease reacting cattle for the elimination of which payment is to be made shall be marketed for slaughter within a period of 30 days after the date of appraisal, except that in meritorious cases and at the discretion of the Chief of the Bureau of Animal Industry, said time limit of 30 days may be extended.

Regulation 4.—Payment for Cattle Eliminated on Account of Reacting to the Test for Bang's Disease

SECTION 1. The Chief of the Bureau of Animal Industry is authorized within his discretion, and upon such terms and conditions as he may provide, to agree on the part of the Department to pay the owner of reacting cattle eliminated pursuant to these regulations, the amount of the appraisal of each animal, less the net proceeds of marketing, and less any other money received

for the elimination of such animal, but in no event shall such payment exceed $20 for a grade animal or $50 for a registered purebred animal.

Regulation 5.—Claims not Allowed

SECTION 1. No payment shall be made for any cattle eliminated on account of reacting to the blood test for Bang's disease unless the owner shall have executed the forms required by the Bureau as prerequisite to the administrative allowance of claims.

SEC. 2. Claims arising out of the elimination of Bang's disease reacting cattle will not be allowed unless blood samples are drawn by a Bureau veterinary inspector or by a veterinary inspector regularly employed by a cooperating State or Territory, or by an accredited veterinarian specifically authorized by the Bureau.

SEC. 3. No payment shall be made to owners of cattle eliminated on account of reacting to the blood test for Bang's disease in States and Territories not cooperating with the Bureau in the elimination of cattle reacting to the blood test for Bang's disease.

SEC. 4. No payment shall be made to an owner of cattle eliminated on account of reacting to the blood test for Bang's disease whose entire herd is not under Federal and State supervision for the eradication of tuberculosis, or who has not applied for such supervision.

SEC. 5. No payment shall be made to any owner for cattle eliminated on account of reacting to the blood test for Bang's disease until all premises officially designated as requiring cleaning and disinfecting have been so treated under Federal or State supervision.

SEC. 6. No payment shall be made for unregistered bulls eliminated because they react to the blood test for Bang's disease.

SEC. 7. No payment shall be made for any cattle marketed for slaughter on account of reacting to the blood test for Bang's disease unless the animals are marked for identification before elimination by branding the letter B on the left hip, not less than 3 or more than 4 inches high, and by attaching to the left ear a metal tag bearing a serial number and the inscription "U.S. Reactor, B.D." or a similar State reactor tag.

SEC. 8. No payment shall be made for any cattle eliminated because of reacting to the blood test for Bang's disease under these regulations if any payment has been or will be received for the same animals under the provisions of either B.A.I. Order 329 or B.A.I. Order 344, or any amendment thereto.

U. S. GOVERNMENT PRINTING OFFICE: 1934

UNIVERSITY OF FLORIDA
3 1262 08925 8841